

MEMO ENDORSED

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BY EMAIL

December 21, 2011

Re: *Anegada Master Fund, Ltd., et al., v. PXRE Group Ltd., et al.*,
No. 08-cv-10584 (RJS)

Honorable Richard J. Sullivan
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 615
New York, NY 10007

Dear Judge Sullivan:

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We are counsel for Defendant PXRE Group Ltd. ("PXRE") in the above-referenced matter and write to request a waiver of Your Honor's Individual Rule of Practice 2.H.

On November 23, 2011, the Court set a deadline of December 23, 2011 for Defendants to submit an opening brief setting forth arguments for dismissal of claims brought by Plaintiffs within their Third Amended Complaint. In connection with the opening briefing, Defendant PXRE seeks to introduce a number of exhibits, the majority of which are documents produced during the discovery phase ordered by the Court at the April 12, 2011 conference. However, Rule 2.H. of Your Honor's Individual Rules of Practice states that "Parties are limited to a total of fifteen exhibits, including exhibits attached to an affidavit, in support of or in opposition to any motion." So as to fully present the relevant issues to the Court, Defendant PXRE respectfully requests a waiver of Rule 2.H. such that Defendant PXRE and Plaintiffs are each permitted to introduce no more than 60 exhibits in connection with the briefing ordered by the Court on November 23, 2011.

Counsel for Defendant PXRE has conferred with counsel for Plaintiffs, who advised that Plaintiffs consent to waiver of Rule 2.H. provided that the waiver extends to all parties.

SO ORDERED
Date: 12/21/11

RICHARD J. SULLIVAN
U.S.D.J.

Respectfully submitted,

Jonathan K. Youngwood

cc: All Counsel (via email)